



Docket No.: 218958US2

COMMISSIONER FOR PATENTS  
ALEXANDRIA, VIRGINIA 22313



ATTORNEYS AT LAW

RE: Application Serial No.: 10/057,927

Applicants: Masanori TAKEUCHI, et al.

Filing Date: January 29, 2002

For: DATA PROCESSING METHOD, DATA  
PROCESSING APPARATUS AND PORTABLE  
ELECTRONIC TERMINAL

Group Art Unit: 3627

Examiner: S. MCALLISTER

SIR:

Attached hereto for filing are the following papers:

**RESPONSE TO RESTRICTION REQUIREMENT**

Our check in the amount of \$0.00 is attached covering any required fees. In the event any variance exists between the amount enclosed and the Patent Office charges for filing the above-noted documents, including any fees required under 37 C.F.R. 1.136 for any necessary Extension of Time to make the filing of the attached documents timely, please charge or credit the difference to our Deposit Account No. 15-0030. Further, if these papers are not considered timely filed, then a petition is hereby made under 37 C.F.R. 1.136 for the necessary extension of time. A duplicate copy of this sheet is enclosed.

Respectfully submitted,

OBLON, SPIVAK, McCLELLAND,  
MAIER & NEUSTADT, P.C.

Gregory J. Maier

Registration No. 25,599

Customer Number

**22850**

(703) 413-3000 (phone)

(703) 413-2220 (fax)

Raymond F. Cardillo

Registration No. 40,440

DOCKET NO: 218958US2



IN THE UNITED STATES PATENT & TRADEMARK OFFICE

IN RE APPLICATION OF :  
MASANORI TAKEUCHI, ET AL. : EXAMINER: S. MCALLISTER  
SERIAL NO: 10/057,927 :  
FILED: JANUARY 29, 2002 : GROUP ART UNIT: 3627  
FOR: DATA PROCESSING METHOD, :  
DATA PROCESSING APPARATUS AND  
PORTABLE ELECTRONIC TERMINAL

RESPONSE TO RESTRICTION REQUIREMENT

COMMISSIONER FOR PATENTS  
ALEXANDRIA, VIRGINIA 22313

SIR:

In response to the Restriction Requirement dated March 25, 2005, Applicants provisionally elect, with traverse, Group II, Claims 10-18 drawn to a data processing apparatus classified in class 705, subclass 16. The Applicants reserve the right to file one or more divisional applications directed to the non-elected Groups I and III.

Applicants respectfully traverse the outstanding Restriction Requirement on the grounds that the Restriction Requirement has not established that searching and examining Claims 1-20 places an undue burden on the Examiner.

M.P.E.P. § 803 specifically states:

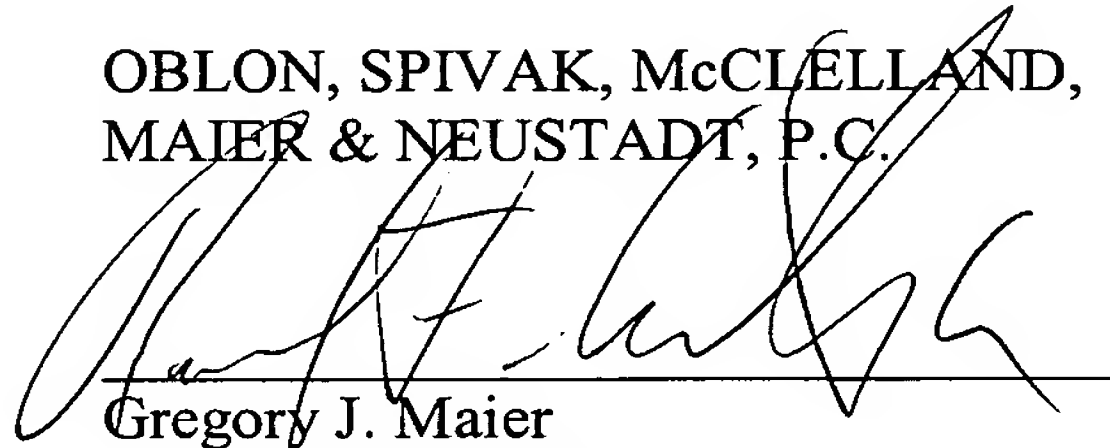
If the search and examination of an entire application can be made without serious burden, the examiner must examine it on the merits, even though it includes claims to independent or distinct inventions.

Application No. 10/057,927  
Reply to Office Action of March 25, 2005

The Claim 1-20 of the present invention would appear to be part of an overlapping search area. Therefore, Applicants respectfully traverse the outstanding Restriction Requirement on the grounds that a search and examination of the entire application would not place a serious burden on the Examiner. Accordingly, an action on the merits is earnestly solicited.

Respectfully submitted,

OBLON, SPIVAK, McCLELLAND,  
MAIER & NEUSTADT, P.C.



Gregory J. Maier  
Attorney of Record  
Registration No. 25,599

Raymond F. Cardillo  
Registration No. 40,440

Customer Number

**22850**

Tel: (703) 413-3000

Fax: (703) 413 -2220  
(OSMMN 08/03)

GJM/RFC/SAE/kad

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